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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [TZ](#)
SUBJECT: TANZANIA -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. (A) STATE 59732
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Tanzania of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Tanzania and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Tanzania of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

17. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

18. Begin Final Text of Tanzania,s country narrative in the 2009 TIP Report:

TANZANIA (TIER 2)

Tanzania is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The incidence of internal trafficking is believed to be higher than that of transnational trafficking. Tanzanian girls from rural areas are trafficked to urban centers and the island of Zanzibar for domestic servitude; some domestic workers fleeing abusive employers fall prey to forced prostitution. Tourist hotels reportedly coerce some girls employed as cleaning staff into prostitution. Boys are trafficked within the country for forced labor on farms, in mines, in the informal business sector, and possibly on small fishing boats. Smaller numbers of Tanzanian children and adults reportedly are trafficked to surrounding African nations, South Africa, Saudi Arabia, the United Kingdom, Sweden, and possibly other European countries for domestic servitude and sexual exploitation. Indian women legally migrate to Tanzania to work as entertainers in restaurants and nightclubs; some are reportedly forced into prostitution after arrival. In 2008, Malawian men were trafficked to Tanzania for forced labor in fishing. Citizens of neighboring countries may be trafficked through Tanzania for forced domestic labor and sexual exploitation in South Africa, Europe, and the Middle East.

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In August 2008, the government enacted a comprehensive human trafficking law and made progress in educating law enforcement officials and prosecutors about the full scope of human trafficking. Although more than 250 victims of trafficking were identified by government officials over the year, the government initiated no known prosecutions of their traffickers.

Recommendations for Tanzania: Use newly enacted anti-trafficking legislation to prosecute and punish trafficking offenders; implement national procedures for victim protection, including the identification of trafficking victims among undocumented migrants; institute trafficking-specific data collection systems for use by the national police and courts; and provide additional training to law enforcement authorities on differentiating human trafficking from smuggling.

Prosecution

Though the Tanzanian government enacted anti-trafficking legislation and received significant amounts of training from outside entities during the reporting period, it reported no prosecutions or convictions of trafficking offenders. In June 2008, the Parliament passed the comprehensive Anti-Trafficking in Persons Act of 2008, which was signed by the president in August. In February 2009, the law came into effect after being translated into Swahili and officially published. This statute prescribes punishments of from one to 20 years, imprisonment depending upon the severity of the crime, punishments that are sufficiently stringent and commensurate with those prescribed for other grave crimes.

However, as no specific anti-trafficking law existed for the majority of the reporting period, existing statutes criminalizing the sale of people, forced labor, child labor, and various sexual offenses were applied to human trafficking cases. The government reportedly investigated cases of trafficking using these statutes, but provided no information on the prosecution or conviction of trafficking offenders during the year. Acting on a hotline tip, police in Mlandizi arrested and charged a Rwandan woman attempting to traffic a Tanzanian child to France; her trial date has not been set. Although the Ministry of Labor reportedly conducted inspections and issued warnings to violators of child labor statutes, there were no reported forced child labor cases brought to court in 2008. Likewise, Zanzibar's Ministry of Labor did not take legal action against any cases of forced child labor. In February 2009, the government transferred responsibility for all anti-human trafficking law enforcement efforts from a specific Anti-Human-Trafficking Unit to the police's INTERPOL office, which has broad responsibility for transnational crimes. The police Cyber Crimes Unit estimated investigating 200 trafficking-related cases since its establishment in 2006; however, no arrests have resulted from these efforts. In December 2008, the government opened the East African Regional Training Academy for immigration officials; approximately 60 percent of this facility's funding is provided by the Tanzanian government. The academy's curriculum includes a module devoted to anti-trafficking education.

Protection

The government's efforts to protect victims of trafficking during the reporting period were moderate and suffered from a lack of resources. Government officials partnered with NGOs to provide shelter, counseling, and rehabilitation for victims of trafficking; facilities for shelter and specialized care were limited to urban areas. While Tanzania lacked systematic victim referral procedures, police and social workers across the country received training on victim protection and government authorities referred trafficking victims to NGOs for assistance during the reporting period. For instance, police and community social workers referred 256 female trafficking victims to an NGO-run shelter in 2008.

In March 2009, local social workers in Pwani region took custody of a rescued child, placed her in an orphanage, and enrolled her in school. A plain-clothed female police officer, part of the Dar es Salaam city police force, visited shelters to obtain sex trafficking victims, statements in a private setting. In mid-2008, the government collaborated with IOM and NGOs to draft a plan for the referral of trafficking victims for care; this mechanism has not yet been finalized. The government provided free use of buildings and supplied teachers, doctors, and social workers, to assist anti-trafficking NGOs during the reporting period. A 24-hour crime hotline staffed by Tanzanian police officers was available for citizens to make anonymous reports about suspected trafficking victims; the hotline responded to two trafficking tips during the reporting period. The government generally encouraged Tanzanian victims' assistance in the investigation of their traffickers, but the lack of national procedures for victim identification likely led to the deportation of many foreign victims before they were identified or able to give evidence in court. With no formal procedure in place to identify foreign victims, they may have been treated by the government as illegal migrants and housed in prisons until deportation arrangements could be made. The government conducted educational programs to help law enforcement officials identify trafficking victims among vulnerable groups. The Anti-Trafficking in Persons Act of 2008 provides foreign victims legal alternatives to their removal to countries where their safety or the safety of their families may be endangered.

Prevention

While awareness of human trafficking increased further in Tanzania, including among communities in remote locations, understanding of what constitutes trafficking remained low;

law enforcement and social welfare officials sometimes conflated human trafficking with smuggling. In April 2008, the government produced guidelines for child labor intervention at the district and community levels that were implemented to varying degrees. For example, to prevent child labor exploitation and trafficking, teachers, police, and labor inspectors followed up with parents to determine whether children missing from school had been forced into domestic servitude or other forms of labor. While there were no reports of local government officials carrying out legal action against such parents, the resulting fear of criminal penalties significantly reduced the availability of child domestic workers in Dar es Salaam by year's end. Local Child Labor Committees, partially comprised of local government officials, partnered with ILO-IPEC to identify and withdraw children from situations of forced labor and enroll them in public schools or Ministry of Education-operated Community Learning Centers. High-ranking national and local officials were visibly present at events associated with IOM's national campaign, &Uwe Sauti Yao8 (Be Their Voice).

In an effort to decrease the demand for commercial sex acts, in June 2008, Dar es Salaam police arrested and indicted 38 men and women) madams, women engaged in prostitution, and clients) on charges of keeping brothels and soliciting sexual services. All suspects were released on bail or with fines; trial dates have not yet been determined. All Tanzanian soldiers completed a module on the respect of human rights and anti-trafficking interventions as part of their basic curriculum. Troops received additional human rights training, including sessions on gender and women's rights, the protection of civilians, and international humanitarian law, before their deployment to international peacekeeping missions.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year.

Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau,s EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: What progress has Tanzania made in the past year?

A: In 2008, the government enacted a comprehensive human trafficking law and made progress in educating law enforcement officials and prosecutors about the full scope of human trafficking. It government opened the East African Regional Training Academy for immigration officials; the academy,s curriculum includes a module devoted to anti-trafficking education. Police and community social workers referred 256 female trafficking victims to an NGO-run shelter. A plain-clothes female police officer, part of the Dar es Salaam city police force, visited shelters to obtain sex trafficking victims, statements in a private setting. The government produced guidelines for child labor intervention at the district and community levels that were implemented to varying degrees. Local Child Labor Committees, partially comprised of local government officials, partnered with ILO-IPEC to identify and withdraw children from situations of forced labor and enroll them in public schools or Ministry of Education)operated Community Learning Centers.

Q2: What can Tanzania do to further the fight against trafficking in persons?

A: Although more than 250 victims of trafficking were identified by government officials over the year, the government initiated no known prosecutions of their traffickers. To advance its anti-trafficking efforts, the Government of Tanzania could: use newly enacted anti-trafficking legislation to prosecute and punish trafficking offenders; implement national procedures for victim protection, including the identification of trafficking victims among undocumented migrants prior to deportation; institute trafficking-specific data collection systems for use by the national police and courts; and provide additional training to law enforcement authorities on differentiating human trafficking from smuggling.

¶12. The Department appreciates posts, assistance with the preceding action requests.
CLINTON